KENNETH W. MAHER

Attorney at Law

8888 Keystone Crossing Suite 1300 Indianapolis, Indiana 46240



Phone (317) 575-4168 Fax (317) 357-1066 Alternate Fax (317) 575-4180

March 18, 1997

Timothy J. Kern, Esq. Assistant Attorney General Environmental Enforcement Section State Office Tower 30 East Broad Street Columbus, OH 43215-3428

Re: Master Metals

Dear Mr. Kern:

This letter is being written as a follow-up to our recent telephone conversation. As I informed you during that conversation, I am representing Thomson Consumer Electronics ("TCE") in the Master Metals matter. In response to a Freedom of Information Act request, U.S. EPA has provided me:

- 1. A copy of your February 2, 1996 letter to Dennis Reis;
- 2. A Master Metals PRP List, showing RCA Corporation as responsible for 513,420 pounds of materials to the Master Metals site; and,
- 3. A List of companies that have sent waste material to Master Metals, dated April 7, 1995, and Attachments I and II thereto.

It appears that the 513,420 pounds reported in item number 2 was derived from the total of the pounds reported for TCE/RCA in the 1990, 1991 and 1992 RCRA Annual Facility Reports and for RCA in the 1988 RCRA Annual Facility Report which were part of Reference 13 for item number 3 above.

After a review of its records, TCE believes the 1992 Master Metals RCRA Annual Facility Report volume for TCE/RCA contained in Reference 13 is significantly overstated as a result of some clerical error. A copy of page 4 of that report, showing 350,780, pounds is enclosed. Also enclosed are copies of the hazardous waste manifest for the only shipment of materials from the TCE/RCA facility to Master Metals in 1992 and the pertinent page from TCE's Generator Annual Hazardous Waste Report for 1992, each of which shows only 27,860 pounds of material was shipped from TCE's facility to the Master Metals facility in 1992. From our telephone conversation, I



understand that the Reference 13 document was prepared by entering data from other source documents. Therefore, we believe that the Master Metals PRP List (item no. 2, above) overstates the volume for RCA Corporation (TCE) by at least 322,920 pounds as a result of some clerical error. (We are still attempting to locate records for 1988. We believe that there may have been a smaller overstatement of the 1988 volume.)

Based on the foregoing, TCE respectfully requests:

- 1. That the undersigned be provided copies of the document(s) which provided the source for the volume reported for TCE/RCA in the 1992 RCRA Annual Facility Report and the volume reported for RCA in the 1988 RCRA Annual Facility Report, and
- 2. That your office advise the appropriate person(s) at Region 5, U.S. EPA and Mr. Dennis Reis that the 513,420 volume previously attributed to RCA Corporation (TCE) should be reduced by 322,920 pounds to 190,500 pounds.

Your assistance in this matter will be appreciated. As I stated during our conference call, TCE wishes to work with the PRP group in its efforts to address concerns at the Master Metals site, but it wishes to do so based on an allocation of costs based on its actual volume of materials shipped to the site rather than an overstated volume.

Very truly yours,

Kenneth W. Maher

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cc: Kris P. Vezner, Esq.
Thomas Alcamo
Dennis Reis, Esq.

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OMIO ENVIRONMENTAL RECTECTION AGENCY DIVISION OF MAZARDOUS WASTE MANAGEMENT 1892 FACILITY ANNUAL REPORT

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GENERATOR ANNUAL HAZARDOUS WASTE REPORT (cont.)

For the calendar year ending December 31, 1992

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US EPA Region 5

Orlice of Regional Counser

KENNETH W. MAHER Attorney

8888 Keystone Crossing Suite 1300 Indianapolis, Indiana 46240





Kris P. Vezner, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 5
77 West Jackson Blvd.
Chicago, IL 60604-3590